IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

Crl.Rev.Pet.No. 4621 of 2006()

CRA.222/2004 of SESSIONS COURT, PATHANAMTHITTA
CC.534/2004 of JUDL.MAGISTRATE OF FIRST CLASS COURT, ADOOR

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REVN. PETITIONER: APPELLANT/ACCUSED.

ANI RAJAN, CARMEL VEEDU, MANAKKALA,
ENATHU VILLAGE, ADOOR TALUK.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATES.

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1. THE STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. JACOB CHERIYA, THARAYIL VEEDU,
KOTTANALLUR MURI, ERATHU VILLAGE,
ADOOR TALUK.

BY ADV. SRI.SIBY MATHEW
SRI.PHILIP J.VETTICKATTU
PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4621 of 2006

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Dated: 24th August 2007

ORDER

The accused in C.C. 534 of 2004 on th**e file** of the J.F.C.M-I Adoor for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. **Crl.M.A.No. 11247 of 2007** has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.